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**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

SOCORRO COOPER,  
Plaintiff,  
v.  
UNITED STATES OF AMERICA,  
Defendant.

) Case No: 2:17-cv-02484-APG-VCF  
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**STIPULATED MOTION FOR  
PRIVACY ACT PROTECTIVE ORDER**  
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Pursuant to Fed. R. Civ. P. 26(c)(1)(G), the parties hereby submit this Stipulation for Protective Order for the purposes of ensuring that information governed by the Privacy Act, 5 U.S.C. § 552a, is protected from disclosure other than as set forth below. This is an action brought pursuant to the Federal Tort Claims Act, 28 U.S.C. §§ 1346(b), 2671-2680, as amended by the Federal Employee's Liability Reform and Tort Compensation Act of 1988, 28 U.S.C. § 2679(d). The parties anticipate that discovery in this action will include information maintained by the United States that may be subject to the provisions of the Privacy Act and otherwise subject to protection from disclosure. This Order shall be considered an order allowing for disclosure pursuant to 5 U.S.C. § 552a(b)(11).

## Definitions:

1. “Confidential Information” means any discovery material that the producing party or protected person reasonably believes not to be in the public domain and reasonably believes contains information pertaining to individuals and/or records as those terms are defined in 5 U.S.C. § 552a(a).

2. "Disclosed" is used in its broadest sense and includes directly or indirectly shown, divulged, revealed, produced, described, transmitted or otherwise communicated in whole or in part.

3. "Discovery" is defined as the term is used in the Federal Rules of Civil Procedure.

4. “Discovery Material” means any documents, answers to interrogatories, responses to requests for admission, deposition testimony, deposition transcripts and exhibits, other responses to requests for information and/or other written information whether produced voluntarily or involuntarily in the course of discovery in this matter.

5. "Document" is defined as the term is defined in Rule 34(a) of the Federal Rules of Civil Procedure.

6. "Counsel" means the counsel of record in this matter and their law firms/agencies as well as other attorneys or consultants employed by or retained by such law firms.

## **Permissible Uses of Confidential Information**

The use of any confidential information obtained in this action shall be limited to use in connection with this action (including any appeal) and shall not be disseminated or utilized in any other administrative or judicial proceeding. Nothing in this order shall prevent the parties from disclosing information to consultants, experts, litigation support services, court personnel, personnel employed by counsel and/or their firms, authors of protected documents, witnesses or potential witnesses in this action.

By producing documents subject to this Order, Defendant does not waive any objections to any future use of these documents that may be made by any party, either at trial or in any other proceeding.

Upon conclusion of this action (including any appeals), all copies of documents released under this Order, excepting exhibits entered into evidence, shall be returned within 30 days, to counsel for Defendant.

4 This Order shall not prevent or in any way limit or impair the right of the United States to  
5 disclose to any agency or department of the United States, or any division of such agency or  
6 department, confidential information relating to any potential violation of law or regulation, or  
7 relating to any matter within that agency's jurisdiction, nor shall anything contained in this Order  
8 prevent or in any way limit or impair the use of any confidential information by an agency in any  
9 proceeding relating to any potential violation of law or regulation, or relating to any matter within  
10 that agency's jurisdiction.

11 || Respectfully submitted this 26th day of February, 2018.

12 RICHARD HARRIS LAW FIRM

**JEFFERSON B. SESSIONS**  
Attorney General

ELIZABETH A. STRANGE  
First Assistant United States Attorney  
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16                   /s/ Samantha A. Martin  
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*/s/ Katherine R. Branch*  
KATHERINE R. BRANCH  
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*Attorneys for United States of America*

IT IS SO ORDERED:

**UNITED STATES MAGISTRATE JUDGE**  
**DATED:** 2-26-2018

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2                   **PROOF OF SERVICE**

3                   I hereby certify that all parties were served with the **STIPULATED MOTION FOR**  
4 **PRIVACY ACT PROTECTIVE ORDER** on this date via the Court's Electronic Case Filing  
system unless specified otherwise below.

5                   Dated this 26th day of February, 2018.

6                   \_\_\_\_\_  
7                   */s/ Katherine R. Branch*  
8                   United States Attorney's Office